

1 Michael R. Lozeau (State Bar No. 142893)
2 Marjan R. Abubo (State Bar No. 349361)
3 LOZEAU DRURY LLP
4 1939 Harrison St., Suite 150
5 Oakland, CA 94612
6 Tel: (510) 836-4200
E-mail: michael@lozeaudrury.com
marjan@lozeaudrury.com

7 Barak J. Kamelgard (State Bar No. 298822)
8 Benjamin A. Harris (State Bar No. 313193)
9 LOS ANGELES WATERKEEPER
10 360 E 2nd St., Suite 250
Los Angeles, CA 90012
11 Tel: (310) 394-6162
E-mail: barak@lawaterkeeper.org
ben@lawaterkeeper.org

12 Attorneys for Plaintiff LOS ANGELES WATERKEEPER

13 (Additional counsel listed on following page)

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16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

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19 LOS ANGELES WATERKEEPER, a
20 California nonprofit corporation,

21 Plaintiff,

22 vs.

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24 DYWIDAG SYSTEMS INTERNATIONAL,
USA, INC., a New York corporation,

25 Defendant.

26
27 Case No. 2:24-cv-01657-AS

**NOTICE OF SETTLEMENT
AND JOINT REQUEST FOR
ENTRY OF CONSENT
DECREE**

1 Jason R. Fair
2 ROBINS KAPLAN LLP
3 2121 Avenue of the Stars, Suite 2800
4 Los Angeles, CA 90067
5 Tel: (310) 229-5893
6 E-mail: JFair@RobinsKaplan.com

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10 Attorneys for Defendant DYWIDAG SYSTEMS
11 INTERNATIONAL, USA, INC.
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1 **PLEASE TAKE NOTICE** pursuant to Local Rule 40-2 that the parties have
2 reached a settlement resolving all claims in this action.

3 On April 11, 2024, Plaintiff Los Angeles Waterkeeper and Defendant Dwydag
4 Systems International, USA, Inc (collectively, “the Parties”) entered into a [Proposed]
5 Consent Decree, setting forth mutually agreeable settlement terms to resolve this
6 matter in its entirety.

7 On April 12, 2024, Plaintiff sent a letter to the United States Department of
8 Justice and the United States Environmental Protection Agency to trigger a mandatory
9 review period for the agencies to review the [Proposed] Consent Decree entered into
10 by the Parties. See 33 U.S.C. § 1365(c); 40 C.F.R. § 135.5.¹

11 On May 10, 2024, the Department of Justice sent the Parties a letter indicating
12 that the federal agencies had no objection to entry of the [Proposed] Consent Decree.
13 The letter is attached hereto as Exhibit 1.

14 Accordingly, the Parties hereby respectfully request that the Court enter the
15 [Proposed] Consent Decree, attached hereto as Exhibit 2, and lodged with the Court
16 contemporaneously with this request.

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24 ¹ Title 33 of the United States Code, Section 1365(c)(2) provides that “[n]o consent
25 judgment shall be entered in an action in which the United States is not a party prior
26 to 45-days following the receipt of a copy of the proposed consent judgment by the
27 Attorney General and the Administrator.”

Respectfully submitted,

Lozeau Drury LLP

Dated: May 20, 2024

By: [s] *Michael R. Lozeau**

Michael R. Lozeau
Attorney for Plaintiff
Los Angeles Waterkeeper

Robins Kaplan LLP

Dated: May 20, 2024

By: s Jason R. Fair

Jason R. Fair
Attorney for Defendant
Dywidag Systems International,
USA, Inc.

* Pursuant to Local Rule 5-4.3.4(a)(2), I hereby attest that all other signatories listed above concur in the filing's content and have authorized this filing.